

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**ALLEGHENY COUNTY EMPLOYEES’
RETIREMENT SYSTEM et al.,**

Plaintiffs,

V.

ENERGY TRANSFER LP et al.,

Defendants.

CIVIL ACTION

No. 20-200

ORDER

This 8th day of August, 2024, for the reasons in the accompanying Memorandum, it is hereby **ORDERED** that Defendants’ Motion for Summary Judgement (ECF 181) is **DENIED in part and GRANTED in part**, as follows:

1. As to the August 2018 loss causation date and its corresponding statements and scienter, Defendants' Motion is **DENIED**.
2. As to the material misrepresentation of Defendants' capacity and timeline statements, Defendants' Motion is **DENIED**.¹
3. As to Defendants' scienter when asserting the capacity and timeline statements, Defendants' Motion is **DENIED**.
4. As to the October 2018 and November 2019 loss causation dates, Defendants' Motion is **GRANTED**. Plaintiffs failed to establish that a jury could reasonably find that the October 21, 2018, and November 12, 2019, articles corrected prior

¹ Defendants' Motion as to the February 2018 through June 2018 capacity statements is also denied, as addressed in a companion order resolving Plaintiffs' motion for partial summary judgment.

regulatory compliance and safety statements or omissions. Thus, as to the material misrepresentation of these statements and their accompanying scienter, Defendants' Motion is **GRANTED**.

/s/ Gerald Austin McHugh
United States District Judge